



Substitute Senate Bill No. 918

Public Act No. 17-65

***AN ACT CONCERNING A MUNICIPAL OPTION PROPERTY TAX
EXEMPTION FOR GOLD STAR PARENTS AND SPOUSES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2017, and applicable to assessment years commencing on or after October 1, 2017*) (a) (1) Except as provided in subdivision (2) of this subsection, any municipality, upon approval by its legislative body, may provide that any parent whose child was killed in action, or the surviving spouse of a person who was killed in action, while performing active military duty with the armed forces, as defined in subsection (a) of section 27-103 of the general statutes, which parent or surviving spouse is a resident of such municipality, shall be entitled to an exemption from property tax, provided such parent's or surviving spouse's qualifying income does not exceed (A) the maximum amount applicable to an unmarried person as provided under section 12-81~~l~~ of the general statutes, or (B) an amount established by the municipality, not exceeding the maximum amount under section 12-81~~l~~ of the general statutes by more than twenty-five thousand dollars. The exemption provided for under this section shall be applied to the assessed value of an eligible parent's or surviving spouse's property and, at the municipality's option, may be in an amount up to twenty thousand dollars or in an amount up to ten per cent of such assessed value.

Substitute Senate Bill No. 918

(2) (A) If both parents of any such child killed in action while performing active military duty with the armed forces are domiciled together, only one such parent shall be entitled to an exemption from property tax provided for under this section.

(B) The exemption provided for under this section shall be in addition to any exemption to which an eligible parent or surviving spouse may be entitled under section 12-81 of the general statutes. No such eligible parent or surviving spouse entitled to exemption under section 12-81f or 12-81g of the general statutes and this section shall receive more than one such exemption.

(b) (1) Any parent whose child was killed in action, or the surviving spouse of a person who was killed in action, while performing active military duty with the armed forces and who claims an exemption from taxation under this section shall give notice to the town clerk of such municipality that he or she is entitled to such exemption.

(2) Any such parent or surviving spouse submitting a claim for such exemption shall be required to file an application, on a form prepared for such purpose by the assessor, not later than the assessment date with respect to which such exemption is claimed, which application shall include at least two affidavits of disinterested persons showing that the deceased child or person was performing such active military duty, that such deceased child or person was killed in action while performing such active military duty and the relationship of such deceased child to such parent, or such deceased person to such surviving spouse, provided the assessor may further require such parent or surviving spouse to be examined by such assessor under oath concerning such facts. Each such application shall include a copy of such parent's or surviving spouse's federal income tax return, or in the event such a return is not filed such evidence related to income as may be required by the assessor, for the tax year of such parent or surviving spouse ending immediately prior to the assessment date

Substitute Senate Bill No. 918

with respect to which such exemption is claimed. Such town clerk shall record each such affidavit in full and shall list the name of such parent or surviving spouse claimant, and such service shall be performed by such town clerk without remuneration. No assessor, board of assessment appeals or other official shall allow any such claim for exemption unless evidence as herein specified has been filed in the office of such town clerk. When any such parent or surviving spouse has filed for such exemption and received approval for the first time, such parent or surviving spouse shall be required to file for such exemption biennially thereafter, subject to the provisions of subsection (c) of this section.

(3) The assessor of such municipality shall annually make a certified list of all such parents or surviving spouses who are found to be entitled to exemption under the provisions of this section, which list shall be filed in the town clerk's office, and shall be prima facie evidence that such parents or surviving spouses whose names appear thereon are entitled to such exemption as long as they continue to reside in such municipality and as long as the legislative body of such municipality continues to provide for such exemption, subject to the provisions of subsection (c) of this section. Such assessor may, at any time, require any such parent or surviving spouse to appear before such assessor for the purpose of furnishing additional evidence, provided, any such parent or surviving spouse who by reason of disability is unable to so appear may furnish such assessor a statement from such parent's or surviving spouse's attending physician or an advanced practice registered nurse certifying that such parent or surviving spouse is totally disabled and is unable to make a personal appearance and such other evidence of total disability as such assessor may deem appropriate.

(4) No such parent or surviving spouse may receive such exemption until such parent or surviving spouse has proven his or her right to

Substitute Senate Bill No. 918

such exemption in accordance with the provisions of this section, together with such further proof as may be necessary under said provisions. Exemptions so proven shall take effect on the next succeeding assessment day.

(c) Any such parent or surviving spouse who has submitted an application and been approved in any year for the exemption provided in this section shall, in the year immediately following approval, be presumed to be qualified for such exemption. During the year immediately following such approval, the assessor shall notify, in writing, each parent or surviving spouse presumed to be qualified pursuant to this subsection. If any such parent or surviving spouse has qualifying income in excess of the maximum allowed under subsection (a) of this section, such parent or surviving spouse shall notify the assessor on or before the next filing date for such exemption and shall be denied such exemption for the assessment year immediately following and for any subsequent year until such parent or surviving spouse has reapplied and again qualified for such exemption. Any such parent or surviving spouse who fails to notify the assessor of such disqualification shall make payment to the municipality in the amount of property tax loss related to such exemption improperly taken.

Approved June 27, 2017